



County of San Diego

DEPARTMENT OF PARKS AND RECREATION

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NEGATIVE DECLARATION

June 23, 2011

Project Name: Live Oak Amphitheater

**This Document is Considered Draft Until it is Adopted by the Appropriate
County of San Diego Decision-Making Body.**

This Negative Declaration is comprised of this form along with the Environmental Initial Study that includes the following:

a. Initial Study and Checklist Form

I. California Environmental Quality Act Negative Declaration Findings:

Find, that this Negative Declaration reflects the decision-making body's independent judgment and analysis, and; that the decision-making body has reviewed and considered the information contained in this Negative Declaration and the comments received during the public review period; and that revisions in the project plans or proposals made by or agreed to by the project applicant would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; and, on the basis of the whole record before the decision-making body (including this Negative Declaration) that there is no substantial evidence that the project as revised will have a significant effect on the environment.

II. Required Mitigation Measures:

Refer to the attached Environmental Initial Study for the rationale for requiring the following measures:

None

III. Critical Project Design Elements That Must Become Conditions of Approval:

The following project design elements were either proposed in the project application or the result of compliance with specific environmental laws and regulations and were essential in reaching the conclusions within the attached Environmental Initial Study. While the following are not technically mitigation measures, their implementation must be assured to avoid potentially significant effects.

A. Air Quality

1. Dust control measures will be implemented as necessary during grading operations associated with construction of the project.

B. Biological Resources

1. Existing coast live oak trees outside of the project footprint will be carefully preserved with construction fencing placed at the drip line to prevent root damage during construction.
2. The project will avoid grading and construction during the avian breeding season. If project construction must occur during bird breeding season, pre-construction nesting bird surveys will be conducted. If nesting birds are present, work will be delayed until fledglings have left the nest.
3. Removal of four coast live oak trees due to existing poor condition and/or construction will be replaced by planting six to eight 36- to 48-inch box coast live oak trees as well as native shrub and groundcover vegetation surrounding the perimeter of the amphitheater. Permanent underground irrigation will be installed to ensure plant establishment and health.

C. Cultural Resources

1. A County-approved archaeological monitor and a Native American monitor will be present for all ground disturbance activities.

D. Hydrology and Water Quality

1. A Water Pollution Control Plan (WPCP) will be prepared and implemented prior to construction and will include site design measures and/or source control Best Management Practices (BMPs) to reduce potential pollutants, including sediment from erosion or siltation, to the maximum extent practicable.

ADOPTION STATEMENT: This Negative Declaration was adopted and above California Environmental Quality Act findings made by the:

Board of Supervisors (Decision-Making Body)

on _____ (Date/Item #)

Megan Hamilton, Group Program Manager
Department of Parks and Recreation